

**DEFENDANTS' MOTION TO COMPEL PLAINTIFF'S RESPONSES TO  
INTERROGATORIES AND REQUESTS TO PRODUCE**

**EXHIBIT 6**

**DEFENDANTS' FIRST SET OF INTERROGATORIES AND REQUEST TO PRODUCE  
TO PLAINTIFF**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

LADANTE CARLOS MCNEARY,

Plaintiff,

v.

Case No. 1:20-cv-00001-JTN-SJB

Hon. Janet T. Neff

PORTAGE PUBLIC SAFETY DEPARTMENT,  
OFFICER N. MATTSON, OFFICER E. VESEY,

Defendants.

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LaDante Carlos McNeary (No. 419808)  
In Pro Per  
1500 Lamont Ave.  
Kalamazoo, MI 49048

Thomas D. Beindit (P81122)  
Rosati, Schultz, Joppich &  
Amtsbuechler, P.C.  
822 Centennial Way, Ste 270  
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**DEFENDANTS' FIRST SET OF INTERROGATORIES TO PLAINTIFF**

**NOW COME** the Defendants, Officer N. Mattson and Officer E. Vesey, by and through their attorneys, ROSATI, SCHULTZ, JOPPICH & AMTSBUECHLER, P.C., by Thomas D. Beindit, and pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, and hereby serve the Defendants' First Set of Interrogatories to Plaintiff. Under Rule 33(a), a response should be served upon the Defendants within 30 days.

**INSTRUCTIONS AND DEFINITIONS**

These Interrogatories shall be deemed continuing and supplemental answers shall be required if you directly or indirectly obtain further information after your response.

Each Interrogatory solicits all information available to the Plaintiff, his agents, attorneys, representatives, or any other person acting on his behalf.

These Interrogatories are to be answered in detail. If you cannot answer them in full, answer to the extent possible and explain your inability to answer the remainder. If any of the answers may be derived from papers, records, tape recordings or documents in your possession, or under your control, such as employment records, earning records, and the like, please attach a copy thereof to your answer, or in the alternative, please describe each of said documents with specificity and state where and when these documents will be available to the Defendants' counsel for inspection and copying.

When identification of any person or party is requested herein, give his or her (I) name, (II) current address, (III) phone number, and (IV) employer, if any.

When identification of any document, letter or other writing is requested, give (I) its date, (II) the author or addressor, (III) the addressee, (IV) the recipients of all copies, (V) the present location thereof, (VI) the identity of the person presently in custody, control or possession thereof, and (VII) state whether you will produce it upon request without the necessity of a court order.

When asked to provide a date, please state the exact day, month and year, or if the exact date is not known, please provide the approximate day, month and year.

As used herein, the "Plaintiff" shall be deemed to mean, unless otherwise indicated, LADANTE CARLOS MCNEARY, as well as his agents, attorneys, representatives or any other person acting on his behalf.

As used herein, the "Defendants" shall be deemed to mean OFFICER N. MATTSON and OFFICER E. VESEY, their agents, attorneys, representatives or any other person acting on their behalf.

As used herein, "document" shall have its customary broad meaning, and shall include, without limitation, the original and any copy of correspondence, notes, records, schedules, tables, charts, reports, tape recordings, video recordings, e-mails, disks (and all forms of electronically stored data), memoranda, telegrams, letters, invoices, order, order forms, messages (including reports of telephone conversations and conferences), minutes, notes, inter-office and intra-office communications and all other written, recorded or printed matter of any kind.

### **INTERROGATORIES**

1. Please state Plaintiff's name and list any and all names that Plaintiff has ever been known by, including legal names, aliases, etc.

#### **ANSWER:**

2. List Plaintiff's employment occupations for the ten (10) years preceding the incident described within Plaintiff's First Amended Complaint through present, including the names, time period employed and addresses of each employer, regardless of whether it was a full or part-time job.

#### **ANSWER:**

3. Please list each and every time Plaintiff has ever been convicted or pled guilty to a crime, other than a traffic violation, including the nature of the crime, the date of the plea or conviction, the name and location of the relevant court(s), and any case file number(s).

#### **ANSWER:**

4. Please list each and every medical facility, pharmacy, physician,

psychologist, psychiatrist, dentist, or other medical personnel or healing arts practitioner where Plaintiff has presented, sought medical services, and/or sought to fill a prescription in the ten (10) years preceding the incident described within Plaintiff's First Amended Complaint through present.

**ANSWER:**

5. Please list each and every lawsuit and claim filed by Plaintiff in the ten (10) years preceding the incident described within Plaintiff's First Amended Complaint through present, including but not limited to any disability claims, unemployment claims, insurance claims, and workers' compensation claims, with the name and location of the relevant court(s), any case file number(s), and the name(s) of any entities to whom Plaintiff has submitted any claims.

**ANSWER:**

6. Please identify any persons that the Plaintiff believes may have knowledge regarding any of the events or happenings concerning the allegations within Plaintiff's First Amended Complaint, whether before, at the time of, or after the events alleged in the Complaint, including their anticipated testimony

**ANSWER:**

7. Please describe in detail how the alleged incident occurred (do not respond by simply referring to the pleadings), including a description of each and every alleged use of force by any Defendant.

**ANSWER:**

8. Please identify each and every action by the Defendants that you believe gives rise to your claims as pled against them within your First Amended Complaint,

including specific identification of the improper actions you attribute to N. Mattson and E. Vesey specifically and individually.

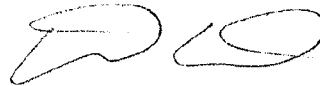
**ANSWER:**

9. List all costs and expenses you allege are a result of the incident described within your First Amended Complaint, including specification of all economic and noneconomic damages you seek.

**ANSWER:**

Respectfully submitted,

ROSATI SCHULTZ JOPPICH &  
AMTSBUECHLER, PC



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Thomas D. Beindit  
Attorney for Defendants  
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Dated: June 18, 2020

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

LADANTE CARLOS MCNEARY,

Plaintiff,

v.

Case No. 1:20-cv-00001-JTN-SJB

Hon. Janet T. Neff

PORTAGE PUBLIC SAFETY DEPARTMENT,  
OFFICER N. MATTSON, OFFICER E. VESEY,

Defendants.

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**DEFENDANTS' FIRST SET OF REQUESTS FOR PRODUCTION TO PLAINTIFF**

**NOW COME** the Defendants, Officers N. Mattson and E. Vesey, by and through their attorneys, ROSATI, SCHULTZ, JOPPICH & AMTSBUECHLER, P.C., by Thomas D. Beindit, and pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, and hereby serve the Defendants' First Set of Request for Production to Plaintiff. Under Rule 34(b), a response should be served upon the Defendants within 30 days.

### **INSTRUCTIONS AND DEFINITIONS**

These Requests to Produce shall be deemed continuing and supplemental answers shall be required if you directly or indirectly obtain further information after your response.

Each Request to Produce solicits all information available to the Plaintiff, his agents, attorneys, representatives, or any other person acting on his behalf.

These Requests to Produce are to be answered in detail. If you cannot answer them in full, answer to the extent possible and explain your inability to answer the remainder. If any of the answers may be derived from papers, records, tape recordings or documents in your possession, or under your control, such as employment records, earning records, and the like, please attach a copy thereof to your answer, or in the alternative, please describe each of said documents with specificity and state where and when these documents will be available to the Defendants' counsel for inspection and copying.

When identification of any person or party is requested herein, give his or her (I) name, (II) current address, (III) phone number, and (IV) employer, if any.

When identification of any document, letter or other writing is requested, give (I) its date, (II) the author or addressor, (III) the addressee, (IV) the recipients of all copies, (V) the present location thereof, (VI) the identity of the person presently in custody, control or possession thereof, and (VII) state whether you will produce it upon request without the necessity of a court order.

When asked to provide a date, please state the exact day, month and year, or if the exact date is not known, please provide the approximate day, month and year.



As used herein, the "Plaintiff" shall be deemed to mean, unless otherwise indicated, LADANTE CARLOS MCNEARY, as well as his agents, attorneys, representatives or any other person acting on his behalf.

As used herein, the "Defendants" shall be deemed to mean OFFICER N. MATTSON AND OFFICER E. VESEY, their agents, attorneys, representatives or any other person acting on their behalf.

As used herein, "document" shall have its customary broad meaning, and shall include, without limitation, the original and any copy of correspondence, notes, records, schedules, tables, charts, reports, tape recordings, video recordings, e-mails, disks (and all forms of electronically stored data), memoranda, telegrams, letters, invoices, order, order forms, messages (including reports of telephone conversations and conferences), minutes, notes, inter-office and intra-office communications and all other written, recorded or printed matter of any kind.

### **REQUEST FOR PRODUCTION**

1. Any and all documents, reports, and/or communications prepared by or related to any and all experts who will testify at trial, including resumes, CV's, writings, and any documents, materials, reports, video, audio, diagrams, manuals, textbooks, and/or related materials relied upon by any expert, including any and all materials reviewed by said expert(s).

### **RESPONSE:**

2. Any and documents or materials related to the allegations made within Plaintiff's First Amended Complaint and any supplemental pleadings filed by Plaintiff in this matter, including but not limited to any photographs, videotapes, motion pictures, cell

phone video, DVDs, AV recording of any types, documents regarding alleged damages, writings, correspondence, emails, text messages, medical records, diagnostic images, witness statements, social media messages, social media postings, medical bills, liens, or costs, receipts, and/or other tangible things. Please also sign and return the attached releases for Plaintiff's employment, medical, and IRS records related to the allegations contained within his pleadings and Plaintiff's discovery responses.

**RESPONSE:**

3. Any and all documents, materials, and/or other things relied upon by Plaintiff in responding to any discovery request made by Defendants to Plaintiff in this litigation.

**RESPONSE:**

4. All materials, documents, audio, video, or any other electronic or physical items identified within any disclosures filed by Plaintiff in this matter, including any initial, expert, or supplemental disclosures.

**RESPONSE:**

5. Any and all documents, materials, and/or other things relating to any communications or postings by and/or to Plaintiff regarding the allegations made within his pleadings, including but not limited to any text messages, written correspondence, e-mails, social media messages, social media posts, video messages, audio recordings, etc.

**RESPONSE:**

Respectfully submitted,

ROSATI SCHULTZ JOPPICH &  
AMTSBUECHLER, PC



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Thomas D. Beindit  
Attorney for Defendants  
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Dated: June 17, 2020

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

LADANTE CARLOS MCNEARY,

Plaintiff,

v.

Case No. 1:20-cv-00001-JTN-SJB

Hon. Janet T. Neff

PORTAGE PUBLIC SAFETY DEPARTMENT,  
OFFICER N. MATTSON, OFFICER E. VESEY,

Defendants.

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**PROOF OF SERVICE**

The undersigned certifies that a copy of Defendants' First Set of Interrogatories and Request to Produce was served upon the Plaintiff, by mailing the same to him at the address as disclosed by the pleadings of record herein, with postage fully prepaid thereon on the 19<sup>th</sup> day of June, 2020. I declare under the penalty of perjury that the statement above is true to the best of my information, knowledge and belief.

Respectfully submitted,

ROSATI, SCHULTZ, JOPPICH,  
& AMTSBUECHLER P.C.

/s/ Thomas D. Beindit

Thomas D. Beindit

Attorney for Defendants

822 Centennial Way, Ste. 270

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Dated: June 19, 2020